

AMENDMENT (Q78595)
U.S. Appln. No. 10/720,211

REMARKS

Claims 1-13 have been examined. New claims 14-19 have been added to further describe patentable aspects of the invention which are not taught or suggested by the current art of record.

Applicants thank the Examiner for acknowledging the claim for priority under 35 U.S.C. § 119, and receipt of a certified copy of the priority document. Applicants also thank the Examiner for considering the references cited with the Information Disclosure Statement filed November 25, 2003.

I. Rejections under 35 U.S.C. § 102

Claims 1-13 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Moshaiov (US 6,678,726). Applicants traverse this rejection.

The system of Moshaiov provides for a client computer to automatically determine system topology information regarding its location in a message queuing system (i.e., a network) by broadcasting a request to potential servers in its proximity and waiting for a reply (Abstract). That is, if there is a change in the client computer's transport network, the client computer broadcasts a client request packet from each network address and receives a server reply packet from a server to extract its topology information (Col. 2, lines 4-25). The system of Moshaiov, however, does not relate to a detection method which detects and manages the omission of software in a computer located on a network, as required by the present invention. In particular, the Examiner cites column 4, lines 35-40, and column 5, lines 40-50, of Moshaiov for disclosing a detection method of omission-in-software-property-management using a network for detecting a computer omitted from a software-property management. Applicants respectfully disagree.

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Column 4, lines 35-40, and column 5, lines 40-50, of Moshaiov merely discloses that a personal computer (i.e., client computer) may operate in a networked environment and a server computer is configured by determining a server site and selecting a connected network.

Moshaiov fails to disclose any feature which detects a computer omitted in software-property management by a server on a network, in which the computer omitted in software-property management is a computer connected to the network but not under software-property management (i.e., operating with an unknown operating system, software version, or patch-application status). Moreover, fundamentally, Moshaiov discloses a computer detecting a network, and does not disclose a network server detecting a computer. Therefore, many of the features of Moshaiov cited by the Examiner do not meet the limitations of the claims.

For example, claim 1 recites "performing a first step wherein a network-connected-computer list which holds, for all computers connected to a given network, information for identifying each computer, and a software-property management list which holds, for all computers to be managed by said software-property management, information for identifying each computer, are used as a basis on which a computer is extracted that is present in said network-connected-computer list and absent in said software-property management list; and performing a second step wherein there is created a list of computer omitted in the software-property management."

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The Examiner asserts that column 9, lines 15-25, of Moshaiov discloses a network-connected-computer list which holds, for all computers connected to a given network, information for identifying each computer. Column 9, lines 15-25, of Moshaiov merely discloses that a server reply packet 650 includes a list of certain servers in the server's site. The server reply packet 650, however, does not include a list of information for identifying each computer for all computers connected to a given network, as required by claim 1. Furthermore, the Examiner asserts that column 9, lines 15-25, of Moshaiov also discloses a software-property management list which holds, for all computers to be managed by said software-property management, information for identifying each computer. Similarly, a list of certain servers in the server's site disclosed by Moshaiov does not read on a list of information for identifying each computer for all computers being managed by said software-property management. As previously stated, Moshaiov fails to disclose the software-property management required by claim 1. In addition, the Examiner asserts that column 11, lines 1-15, of Moshaiov discloses that the network-connected-computer list and the software-property management list are used as a basis on which a computer is extracted that is present in said network-connected-computer list and absent in said software-property management list. Column 11, lines 1-15, of Moshaiov, however, merely disclose that a client computer extracts topology information from a received reply packet. Moshaiov, fails to disclose using or comparing the network-connected-computer list and the software-property management list to determine a difference between the lists and extract a computer accordingly.

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Accordingly, Moshaiov fails to anticipate claim 1 under 35 U.S.C. § 102 because it does not disclose each and every element of claim 1. In view of the foregoing remarks, Applicants respectfully request the Examiner to withdraw the rejection for at least this reason.

In addition, independent claims 3, 5, 6, 10 and 11 recite that the network-connected-computer list and the software-property management list are used as a basis on which a computer is extracted that is present in said network-connected-computer list and absent in said software-property management list, which is not disclosed by Moshaiov for reasons similar to those presented above in conjunction with claim 1. Therefore, Applicant submits that claims 3, 5, 6, 10 and 11 are patentable for at least this reason.

Applicants also submit that dependent claims 2, 4, 7-9, 12 and 13 are patentable at least by virtue of their dependencies.

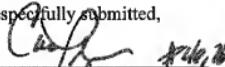
II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The U.S. Patent and Trademark Office is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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